

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/183,717	10/30/98	DESCH	D 080398.P162

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EXAMINER

HUANG, S

ART UNIT	PAPER NUMBER
2711	3

DATE MAILED: 08/27/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No. 09/183,717	Applicant(s) Desh
Examiner Sam Huang	Group Art Unit 2711

- Responsive to communication(s) filed on _____.
- This action is FINAL.
- Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- Claim(s) 1-37 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- Claim(s) _____ is/are allowed.
- Claim(s) 1-37 is/are rejected.
- Claim(s) _____ is/are objected to.
- Claims _____ are subject to restriction or election requirement.

Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The drawing(s) filed on _____ is/are objected to by the Examiner.
- The proposed drawing correction, filed on _____ is approved disapproved.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- All Some* None of the CERTIFIED copies of the priority documents have been received.
- received in Application No. (Series Code/Serial Number) _____.
- received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- Notice of References Cited, PTO-892
- Information Disclosure Statement(s), PTO-1449, Paper No(s). 4
- Interview Summary, PTO-413
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 1-3, 6, 10, 16-17, 24-27, 34, 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Pauley (US 5,900,916).

Regarding claims 1 and 6, Pauley discloses an apparatus for presentation of images from multiple sources on a monitor or television at the same time comprising: selecting for viewing, a first show associated with a first channel from a first source; displaying the first show; selecting for viewing, a second show associated with a second channel from a second source; and displaying the second show simultaneously with the first show (cols. 1-4).

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As for claims 2, 3, 10, 24, 25, 34, 35 Pauley also reveals that “sources” means a provider of information, such as a television station, cable provider, Internet site” (col. 5, lines 19-21) and that “any mode of input may be utilized, for example a television station, a cable system, satellite, a video tape recorder/player and DVD.” (Col. 5, lines 16-18).

Concerning claims 16, 17 and 26, 27, Pauley discloses an entertainment system comprising: a display monitor 12 with television/cable/satellite broadcast tuners read on as receivers coupled to the display monitor wherein the tuners are capable of receiving programming data associated with a plurality of sources for viewing on the display monitor (see Fig. 1); a plurality of memory elements (col. 4, lines 7-39); and control system 50 read on to be a central processing unit coupled to the plurality of memory elements, wherein the control system selects one of the plurality of shows into the plurality of memory elements and to display the plurality of shows continuously and in a picture in picture format (cols. 5, 6, and 7).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 4, 5, 12, 13, 18, 19, 20, 28, 29, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pauley (US 5,900,916) in view of Usui et al. (US 5,808,694, hereinafter “Usui”).

Regarding claims 4, 5, 12, 13, 19, 20, 29, 30, Pauley does not specifically disclose the method of loading programming data into memory and producing a screen menu, however, Usui provides an electronic program guide (“EPG”) system and electronic program guide displaying method wherein a plurality of program guides from a plurality of sources are stored in memory and displayed (col. 2, lines 3-24). Usui also teaches the method of executing software by a CPU to produce a screen menu and generating the EPG data according to the selection made from the screen menu (cols. 5 and 6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pauley by the teachings of Usui so that the user is benefited with program guides from each source that the user receives as well as a menu screen to lay out in an organized manner the plurality of EPG listings.

As for claims 18 and 28, Pauley fails to specifically show an integrated receiver decoder within the system. However, Usui teaches an IRD 4 to receive EPG data from a plurality of sources (see Abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pauley by the teachings of Usui so that coded data from the transmitter/headend may be received and converted back to its original form.

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6. Claims 7-9, 11, 14, 15, 21-23, 31-33, 36, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pauley (US 5,900,916).

Regarding claims 7-9, 21-23, 31-33 Pauley reveals an apparatus for presentation of images from multiple sources on a display monitor. Additionally, the plurality of sources transmits broadcast signals from local television stations, cable companies or satellite stations. Although Pauley fails to specifically disclose the coding techniques associated with the transmission of broadcast signals, amplitude modulation, frequency modulation and phase modulation coding techniques are extremely well known in the art of broadcast transmission technology. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the above coding techniques for transmitting broadcast signals in order to comply with standards and make use of what is well known.

As for claim 11, Pauley shows that “‘sources’ means a provider of information, such as a television station, cable provider, Internet site” (col. 5, lines 19-21) and that “any mode of input may be utilized, for example a television station, a cable system, satellite, a video tape recorder/player and DVD.” (Col. 5, lines 16-18).

As for claims 14, 15, 36, 37, Pauley provides an apparatus wherein a VCR 30 is coupled to the multiple image display system 10. Although the VCR 30 in Pauley functions as a source providing video images, VCR is extremely well known as a recording means for a plurality of sources. Therefore, it would have been obvious to one of ordinary skill in the art to modify

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Pauley so that the user may record programs from the plurality of sources received by the image display system 10.

Conclusion

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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or faxed to:

(703) 308-9051, (for formal communications; please mark "EXPEDITED PROCEDURE")

Or:

(703) 308-5399, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Huang whose telephone number is (703) 305-0627. The examiner can normally be reached on M-Th from 8:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for this Group is (703) 308-5359.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

SH



August 23, 1999

**JOHN W. MILLER
PATENT EXAMINER**